

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface with a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein the packaging has a first aperture adjacent to the first battery and a second aperture adjacent the second battery, wherein the first aperture and the second aperture are configured to facilitate rotation of the first battery and the second battery, respectively, while within the packaging and wherein the first battery and the second battery are electrically isolated from one another while within the packaging.
2. (Original) The battery bundle of claim 1, wherein the packaging has at least one transparent portion adjacent to at least portions of the first graphic and the second graphic.
3. (Original) The battery bundle of claim 2, wherein the at least one transparent portion extends substantially completely about the first outer surface and the second outer surface.
4. (Original) The battery bundle of claim 3, wherein the first battery and the second battery are substantially aligned end-to-end in the packaging.
5. (Original) The battery bundle of claim 4, wherein the battery bundle includes batteries in addition to the first battery and the second battery and wherein all of the batteries bound by the packaging are aligned end-to-end in the packaging.
6. (Original) The battery bundle of claim 5, wherein the packaging includes a tube containing all of the batteries.

7. (Original) The battery bundle of claim 3, wherein the packaging includes batteries in addition to the first battery and the second battery and wherein the packaging includes at least one tube binding all of the batteries in an end-to-end relationship.

8. (Canceled)

9. (Canceled)

10. (Original) The battery bundle of claim 1, wherein the packaging has at least one aperture adjacent to at least portions of the first graphic and the second graphic.

11. (Original) The battery bundle of claim 1 including batteries in addition to the first battery and the second battery, wherein all of the batteries bound in the packaging are substantially identical to one another except that at least two of the batteries have outer surfaces with distinct graphics.

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Previously Presented) The battery bundle of claim 1, wherein the packaging includes a flexible membrane configured to engage at least one of the first battery and the second battery to facilitate rotation of at least one of the first battery and the second battery.

17. (Original) The battery bundle of claim 1, wherein the first battery and the second battery have at least one of a distinct smell or a distinct outer surface texture.

18. (Canceled)

19. (Previously Presented) The battery bundle of claim 1, wherein at least one of the first graphic and the second graphic are selected from the group including: cartoon characters, entertainment personalities, sporting figures, cars, sporting equipment, well-known phrases, clichés, barbershop stripes, artwork, paper and coin currency, gaming characters, music media artwork, movie media artwork, advertising for non-battery goods or services, motivational sayings, flags, inspirational sayings, humorous sayings, campaign slogans, sayings, or representations or reproductions of images (finger, cigarette, money roll) not previously related to a battery and/or its use.

20-85 (Canceled)

86. (Canceled)

87. (Previously Presented) The battery bundle of claim 1, wherein the packaging includes a film configured to maintain its shape only when the batteries are in place.

88. (Previously Presented). The battery bundle of claim 1, wherein the packaging includes a support portion configured to support the battery bundle with respect to a display.

89. (Canceled)

90. (Previously Presented) The battery bundle of claim 88, wherein the support portion includes a pedestal.

91. (Previously Presented) The battery bundle of claim 1, wherein the first battery and the second battery are a same brand of battery.

92. (Previously Presented) The battery bundle of claim 1, wherein the first graphic and the second graphic have distinct graphic components comprising distinct images not associated with trademarks or trade dress.

93. (Previously Presented) The battery bundle of claim 1, wherein the first graphic and the second graphic include graphic components comprising distinct images, wherein the images are selected from a group of images consisting of: a physical likeness or representation of a person, animal, fictional character, landscape, scenery, object or something in actual or imagined existence.

94. (Previously Presented) The battery bundle of claim 1, wherein the first graphic includes a first graphic component and wherein the second graphic includes a second graphic component distinct from the first graphic component, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, do not describe a size or power characteristic of the battery, do not describe a composition of the battery, do not describe a polarity of the battery, are not associated with information regarding a useful life of the battery and are not associated with warnings about the usage or disposal of the battery.

95. (Previously Presented) The battery bundle of claim 1, wherein the first graphic includes a first graphic component and wherein the second graphic includes a second graphic component distinct from the first graphic component, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, that do not describe a size or power characteristic of the battery, that do not identify an intended or suggested use of the battery such as identifying a type of electronic gadget or appliance in which the battery may be used, that do not describe a composition of the battery, that do not describe a polarity of the battery, that are not associated with information regarding the useful life of the battery, that are not associated with warnings about the usage or disposal of the battery, that do not identify intellectual property associated with the battery (for example, a patent number, a patent pending notification, a trademark symbol (™,®), a copyright symbol (©)), and do not provide information regarding the recyclability of the battery.

96. (Previously Presented) The battery bundle of claim 1, wherein the first graphic includes a first graphic component extending 360 degrees about an outer surface of the first

battery and wherein the second graphic includes a second graphic component distinct from the first graphic component and extending through 360 degrees about an outer surface of the second battery.

97. (Previously Presented) The battery bundle of claim 1, wherein the first graphic includes a first graphic component at a first location on an outer surface of the first battery and wherein the second graphic includes a second graphic component distinct from the first graphic component at a second location on an outer surface of the second battery and corresponding to the first location.

98. (Previously Presented) The battery bundle of claim 97, wherein the first battery and the second battery are a same brand of battery.

99. (Previously Presented) The battery bundle of claim 98, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, that do not describe a size or power characteristic of the battery, that do not identify an intended or suggested use of the battery such as identifying a type of electronic gadget or appliance in which the battery may be used, that do not describe a composition of the battery, that do not describe a polarity of the battery, that are not associated with information regarding the useful life of the battery, that are not associated with warnings about the usage or disposal of the battery, that do not identify intellectual property associated with the battery, a patent number, a patent pending notification, a trademark symbol (TM,®), a copyright symbol (©); and do not provide information regarding the recyclability of the battery.

100. (Previously Presented) The battery bundle of claim 1, wherein the first graphic is associated with a first species of a genus and wherein the second graphic is associated with a second species of the genus.

101-104. (Canceled)

105. (Previously Presented) The battery bundle of claim 1, wherein the first graphic and the second graphic are configured such that alignment of the first graphic and the second graphic forms at least a portion of a first composite graphic.

106. (Canceled)

107. (Canceled)

108. (Previously Presented) The battery bundle of claim 1, wherein the first battery and the second battery have distinct scented materials.

109. (Previously Presented) The battery bundle of claim 108, wherein the scented materials are selectively active.

110. (Previously Presented) The battery bundle of claim 1, wherein the first graphic and the second graphic include graphic components comprising distinct images, wherein the images are selected from a group of images consisting of: a physical likeness or representation of a person, animal, fictional character, landscape, scenery, object or something in actual or imagined existence and wherein the graphic components are not associated with trademarks or trade dress.

111. (Previously Presented) The battery bundle of claim 1, wherein the first battery and the second battery have longitudinal axes non-coincident and parallel to one another.

112. (Canceled)

113. (Previously Presented) The battery bundle of claim 112, wherein the first aperture extends along a circumferential side of the first battery and wherein the second aperture extends along a circumferential side of the second battery.

114. (Previously Presented) The battery bundle of claim 1, wherein the first battery extends along an axis and wherein the packaging includes a wall extending across and intercepting the axis.

115-123. (Canceled)

124. (Currently Amended) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface distinct from the first outer surface, the second outer surface having a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein circumferential sides of each of the first battery and the second battery are exposed through the packaging to facilitate rotation of the first battery and a second battery while within the packaging and wherein the first battery and the second battery are electrically isolated from one another while within the packaging.

125. (Previously Presented) The battery bundle of claim 124, wherein the packaging has at least one transparent portion adjacent to at least portions of the first graphic and the second graphic.

126. (Previously Presented) The battery bundle of claim 124, wherein the at least one transparent portion extends substantially completely about the first outer surface and the second outer surface.

127. (Previously Presented) The battery bundle of claim 126, wherein the first battery and the second battery are substantially aligned end-to-end in the packaging.

128. (Previously Presented) The battery bundle of claim 127, wherein the battery bundle includes batteries in addition to the first battery and the second battery and wherein all of the batteries bound by the packaging are aligned end-to-end in the packaging.

129. (Previously Presented) The battery bundle of claim 128, wherein the packaging includes a tube containing all of the batteries.

130. (Previously Presented) The battery bundle of claim 126, wherein the packaging includes batteries in addition to the first battery and the second battery and wherein the packaging includes at least one tube binding all of the batteries in an end-to-end relationship.

131. (Canceled)

132. (Canceled)

133. (Previously Presented) The battery bundle of claim 124, wherein the packaging has at least one aperture adjacent to at least portions of the first graphic and the second graphic.

134. (Previously Presented) The battery bundle of claim 124 including batteries in addition to the first battery and the second battery, wherein all of the batteries bound in the packaging are substantially identical to one another except that at least two of the batteries have outer surfaces with distinct graphics.

135. (Previously Presented) The battery bundle of claim 124, wherein the packaging includes a flexible membrane configured to engage at least one of the first battery and the second battery to facilitate rotation of at least one of the first battery and the second battery.

136. (Previously Presented) The battery bundle of claim 124, wherein the first battery and the second battery have at least one of a distinct smell or a distinct outer surface texture.

137. (Previously Presented) The battery bundle of claim 124, wherein at least one of the first graphic and the second graphic are targeted towards a specific group of consumers.

138. (Previously Presented) The battery bundle of claim 124, wherein at least one of the first graphic and the second graphic are selected from the group including: cartoon characters, entertainment personalities, sporting figures, cars, sporting equipment, well-known phrases,

clichés, barbershop stripes, artwork, paper and coin currency, gaming characters, music media artwork, movie media artwork, advertising for non-battery goods or services, motivational sayings, flags, inspirational sayings, humorous sayings, campaign slogans, sayings, or representations or reproductions of images (finger, cigarette, money roll) not previously related to a battery and/or its use.

139. (Previously Presented) The battery bundle of claim 124, wherein the packaging is configured to bind the batteries for retail distribution.

140. (Previously Presented) The battery bundle of claim 124, wherein the packaging includes a film configured to maintain its shape only when the batteries are in place.

141. (Previously Presented). The battery bundle of claim 124, wherein the packaging includes a support portion configured to support the battery bundle with respect to a display.

142. (Previously Presented) The battery bundle of claim 141, wherein the support portion includes a hang hole.

143. (Previously Presented) The battery bundle of claim 141, wherein the support portion includes a pedestal.

144. (Previously Presented) The battery bundle of claim 124, wherein the first battery and the second battery are a same brand of battery.

145. (Previously Presented) The battery bundle of claim 124, wherein the first graphic and the second graphic have distinct graphic components comprising distinct images not associated with trademarks or trade dress.

146. (Previously Presented) The battery bundle of claim 124, wherein the first graphic and the second graphic include graphic components comprising distinct images, wherein the images are selected from a group of images consisting of: a physical likeness or representation of

a person, animal, fictional character, landscape, scenery, object or something in actual or imagined existence.

147. (Previously Presented) The battery bundle of claim 124, wherein the first graphic includes a first graphic component and wherein the second graphic includes a second graphic component distinct from the first graphic component, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, do not describe a size or power characteristic of the battery, do not describe a composition of the battery, do not describe a polarity of the battery, are not associated with information regarding a useful life of the battery and are not associated with warnings about the usage or disposal of the battery.

148. (Previously Presented) The battery bundle of claim 124, wherein the first graphic includes a first graphic component and wherein the second graphic includes a second graphic component distinct from the first graphic component, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, that do not describe a size or power characteristic of the battery, that do not identify an intended or suggested use of the battery such as identifying a type of electronic gadget or appliance in which the battery may be used, that do not describe a composition of the battery, that do not describe a polarity of the battery, that are not associated with information regarding the useful life of the battery, that are not associated with warnings about the usage or disposal of the battery, that do not identify intellectual property associated with the battery (for example, a patent number, a patent pending notification, a trademark symbol (TM,®), a copyright symbol (©)), and do not provide information regarding the recyclability of the battery.

149. (Previously Presented) The battery bundle of claim 124, wherein the first graphic includes a first graphic component extending 360 degrees about an outer surface of the first battery and wherein the second graphic includes a second graphic component distinct from the first graphic component and extending through 360 degrees about an outer surface of the second battery.

150. (Previously Presented) The battery bundle of claim 124, wherein the first graphic includes a first graphic component at a first location on an outer surface of the first battery and wherein the second graphic includes a second graphic component distinct from the first graphic component at a second location on an outer surface of the second battery and corresponding to the first location.

151. (Previously Presented) The battery bundle of claim 150, wherein the first battery and the second battery are a same brand of battery.

152. (Previously Presented) The battery bundle of claim 151, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, that do not describe a size or power characteristic of the battery, that do not identify an intended or suggested use of the battery such as identifying a type of electronic gadget or appliance in which the battery may be used, that do not describe a composition of the battery, that do not describe a polarity of the battery, that are not associated with information regarding the useful life of the battery, that are not associated with warnings about the usage or disposal of the battery, that do not identify intellectual property associated with the battery, a patent number, a patent pending notification, a trademark symbol (TM,[®]), a copyright symbol ([©]); and do not provide information regarding the recyclability of the battery.

153. (Previously Presented) The battery bundle of claim 124, wherein the first graphic is associated with a first species of a genus and wherein the second graphic is associated with a second species of the genus.

154. (Previously Presented).The battery bundle of claim 124, wherein the first surface of the first battery and a second surface of the second battery have distinct surface textures and wherein the distinct surface textures are selected from textures consisting of: dimples, raised and depressed portions, tacky portions, fabric portions, bumpy portions, fuzzy portions, compressible portions, and elastic portions.

155. (Previously Presented) The battery bundle of claim 124, wherein the first battery and the second battery have distinct scented materials.

156. (Previously Presented) The battery bundle of claim 155, wherein the scented materials are selectively active.

157. (Previously Presented) The battery bundle of claim 124, wherein the first graphic and the second graphic include graphic components comprising distinct images, wherein the images are selected from a group of images consisting of: a physical likeness or representation of a person, animal, fictional character, landscape, scenery, object or something in actual or imagined existence and wherein the graphic components are not associated with trademarks or trade dress.

158. (Previously Presented) The battery bundle of claim 124, wherein the first battery and the second battery have longitudinal axes non-coincident and parallel to one another.

159. (Previously Presented) The battery bundle of claim 124, wherein the packaging has a first aperture adjacent to the first battery and a second capture adjacent the second battery, wherein the first aperture and the second aperture are configured to facilitate rotation of the first battery and the second battery, respectively, while within the packaging.

160. (Previously Presented) The battery bundle of claim 159, wherein the first aperture extends along a circumferential side of the first battery and wherein the second aperture extends along a circumferential side of the second battery.

161. (Previously Presented) The battery bundle of claim 124, wherein the first battery extends along an axis and wherein the packaging includes a wall extending across and intercepting the axis.

162. (Previously Presented) The battery bundle of claim 161, wherein the first graphic includes a first graphic component and wherein the second graphic includes a second graphic

component distinct from the first graphic component, wherein the first graphic component and the second graphic component do not identify a manufacturer, distributor or retailer of the battery, do not describe a size or power characteristic of the battery, do not describe a composition of the battery, do not describe a polarity of the battery, are not associated with information regarding a useful life of the battery and are not associated with warnings about the usage or disposal of the battery.

163. (Previously Presented) The battery bundle of claim 162, wherein the packaging is configured to bind the batteries for retail distribution.

164. (Previously Presented) The battery bundle of claim 162, wherein the packaging has at least one transparent portion adjacent to at least portions of the first graphic and the second graphic.

165. (Previously Presented) The battery bundle of claim 164, wherein the first battery and the second battery are substantially aligned end-to-end in the packaging such that their axes are substantially coincident.

166. (Previously Presented) The battery bundle of claim 164, wherein the packaging includes a tube encircling the first battery and the second battery.

167. (Previously Presented) The battery bundle of claim 124, wherein at least one of the first graphic and the second graphic are targeted towards a specific group of consumers, wherein the specific group of consumers is selected from a group of consumers consisting of a group based upon gender, based upon age or age characteristics, based upon geographical regions of the consumers, based upon the jobs or professions of the consumers, based on the education level of the consumers, based upon participatory hobbies (participation in athletics such as biking, football, jogging, skateboarding, collecting, hunting, working out/body building, playing cards, playing bingo, camping, motorcycle riding), social clusters, demographics, ethnicities, religions, nationalities, observational hobbies (interests in observational participation in distinct

forms of entertainment such as watching sports, TV, concerts, movies, plays, pornography, political shows or events), social behavior (fine wine, cigars, fashion preference, gambling, sex, sexual preference or behavior, adult entertainment, bars, dance clubs), habitual behavior (smoking, drinking, drug use), clubs/memberships/affiliations (fraternities, Kiwanis, Harley Davidson owners, sports team, musical group, thespian, religious subchapter, alcoholics anonymous, YMCA, pro-life, political party or cause), physical characteristics (hair color, muscularity, hair style, weight, attractiveness, skin color).

168. (Previously Presented) The battery bundle of claim 124, wherein the first graphic and the second graphics comprise distinct portions of a series or related theme.

169. (Previously Presented) The battery bundle of claim 168, wherein the series depicts a plot or storyline.

170. (Previously Presented) The battery bundle of claim 124, wherein the first graphic and the second graphic comprise distinct portions of an individual word or phrase such that when a series of batteries, including the first battery and the second battery are positioned side-by side, the individual word or phrase may be formed.

171. (Previously Presented) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface with a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein the packaging has at least one transparent portion adjacent to at least portions of the first graphic and the second graphic and extending substantially completely about the first outer surface and the second outer surface, wherein the packaging includes batteries in addition to the first battery and the second battery and wherein the packaging includes a plurality of tubes binding all of the batteries in an

end-to-end relationship and wherein the first battery and the second battery are electrically isolated from one another while within the packaging.

172. (New) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface with a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein the packaging has a first aperture adjacent to the first battery and a second aperture adjacent the second battery, wherein the first aperture and the second aperture are configured to facilitate rotation of the first battery and the second battery, respectively, while within the packaging, wherein the at least one transparent portion extends substantially completely about the first outer surface and the second outer surface.

173. (New) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface distinct from the first outer surface, the second outer surface having a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein circumferential sides of each of the first battery and the second battery are exposed through the packaging to facilitate rotation of the first battery and a second battery while within the packaging, wherein the packaging includes a film configured to maintain its shape only when the batteries are in place.

174. (New) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface distinct from the first outer surface, the second outer surface having a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein circumferential sides of each of the first battery and the second battery are exposed through the packaging to facilitate rotation of the first battery and a second battery while within the packaging, wherein the first graphic and the second graphics comprise distinct portions of a series or related theme and wherein the series depicts a plot or storyline.

175. (New) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface distinct from the first outer surface, the second outer surface having a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein circumferential sides of each of the first battery and the second battery are exposed through the packaging to facilitate rotation of the first battery and a second battery while within the packaging,, wherein the first graphic and the second graphic comprise distinct portions of an individual word or phrase such that when a series of batteries, including the first battery and the second battery are positioned side-by side, the individual word or phrase may be formed.

176. (New) A battery bundle comprising:

a first battery having a first outer surface with a first graphic;

a second battery substantially identical to the first battery in all respects except that the second battery has a second outer surface distinct from the first outer surface, the second outer surface having a second graphic distinct from the first graphic; and

a packaging binding the first battery and the second battery, wherein circumferential sides of each of the first battery and the second battery are exposed through the packaging to facilitate rotation of the first battery and a second battery while within the packaging, wherein the

packaging seals about the batteries such that the batteries cannot be removed without damaging the packaging.

177. (New) The battery bundle of claim 176, wherein the packaging is formed entirely from one or more dielectric materials.

178. (New) The battery bundle of claim 176, wherein the first battery and the second battery are electrically isolated from one another while within the packaging.